

### **REMARKS**

Reconsideration of the above-identified application in view of the present amendment is respectfully requested.

A new Declaration has been prepared and will be forwarded to the U.S. Patent and Trademark Office upon receipt by the applicant's representative.

With regard to the claim objections, amendments to claims 16 and 19 are provided herewith. Accordingly, it is respectfully requested that the objection to the claims be withdrawn. Also, claims 13 and 26 are amended to address minor errors.

Turning to the rejections of claims in view of the patent to Barbour et al. (U.S. Patent No. 5,890,095), either alone or in combination with the patent to Oshige et al. (U.S. Patent No. 5,311,285), the rejections are respectfully traversed. The apparatus and methodology presented within the '095 patent are directed to some of the previous work of the present inventor, Mr. Blair Barbour. However, the '095 patent does not disclose the aspects of the present invention. The '095 patent is directed to use of super pixels that contain four adjoining pixels each of which is polarized in a different state. In distinction, the present invention is directed to the use of multi-characteristic spatial geometry processing. It is important to note that a plurality of spatial phase characteristics are utilized.

In pertinent part, claim 1 recites means for separating the plurality of spatial phase characteristics of received electromagnetic energy. Claim 1 also recites means for identifying spatially segregated portions of each spatial phase characteristic, with each spatially segregated portion of each spatial phase

characteristic corresponding to a spatially segregated portion of each of the other spatial phase characteristics in a group (emphasis added). Further, claim 1 recites means for quantifying each segregated portion to provide a spatial phase metric of each segregated portion for providing a data map of the spatial metric of each separated spatial phase characteristic. The distinction of the present invention from the description provided within the '095 patent can be appreciated upon viewing the example shown in Fig. 1. As can be seen in Fig. 1, a plurality of detector arrays (1-X) for detecting the various metrics (1-X) can be appreciated. The '095 patent does not disclose the use of identifying and quantifying spatially segregated portions (e.g. in a matrix array) for each of a plurality of spatial phase characteristics. Therefore, it is respectfully submitted that the present invention is not disclosed within the '095 patent.

In view of the above, it is believed that the Examiner will now have a clearer understanding of the distinction between the previous work of Mr. Barbour and the present invention. However, in order to ensure that the Examiner does have a clearer understanding, the applicant's representative would like to invite the Examiner to conduct a telephone interview. Once the Examiner has received and reviewed this response, the Examiner is invited to contact the applicant's representative so that such a telephone interview may be conducted.

Appl. No. 09/621,768  
Amdt. Dated November 3, 2003  
Reply to Office action of August 1, 2003

If there are any additional fees resulting from this communication, please  
charge same to our Deposit Account No. 16-0820, our Order No. 34098.

Respectfully submitted,

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